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Agenda Date: 5/20/2009

Agenda Placement: 8A

Airport Land Use Commission Board Agenda Letter

TO: Airport Land Use Commission

FROM: John McDowell for Hillary Gitelman - Director
Conservation, Development & Planning

REPORT BY: RONALD GEE, PLANNER III - 707.253.4417

SUBJECT: R. H. Hess Development Co. / Oat Hill Winery Condominiums # P09-00152-ALUC

RECOMMENDATION

R. H. HESS DEVELOPMENT CO. / OAT HILL WINERY CONDOMINIUMS - AIRPORT LAND USE CONSISTENCY DETERMINATION # P09-00152-ALUC

Request: Airport Land Use Consistency Determination for the Oat Hill Winery Commercial Condominium Facility to be constructed within a 56,084 square foot structure on a 10.55 acre vacant site located on Oat Hill at the western terminus of Napa Junction Road, about 0.39 mile west of SR 29 (Broadway) and within Airport Land Use Compatibility Zone D. (Assessor's Parcel # 058-380-012 and -013) American Canyon.

Staff Recommendation: Find the project consistent with the Airport Land Use Compatibility Plan.

Staff Contact: Ronald Gee 299-1351, rgee@co.napa.ca.us

EXECUTIVE SUMMARY

Proposed Action:

1. That the Airport Land Use Commission find the Hess Oat Hill Winery Project (P09-00152-ALUC) CONSISTENT with the Napa County Airport Land Use Compatibility Plan.

Discussion:

The Airport Land Use Commission (ALUC) is responsible for making an Airport Land Use Consistency Determination on the proposed multi-tenant winery facility. The project includes one 56,084 square foot structure, including 10,479 square feet of future, second-floor mezzanine space, to be subdivided as nine commercial condominium units. Individual condominiums would range in size between a minimum of 5,879 square feet to

6,900 square feet maximum. Each unit would have a front, 1,290 square feet office/tasting area with a 1,148 square feet mezzanine space. The main building roofline is 31 feet in height with portions increasing to 33 feet; the main tower feature would reach 42 feet maximum height.

The site is located within Compatibility Zone D, the Common Traffic Pattern zone. Zone D is an area of low to moderate risk and most non-residential uses are considered normally acceptable use of the Airport Land Use Compatibility Plan (ALUCP). The facility is considered a light industrial, manufacturing and warehouse development and is considered a compatible land use within Zone D due to lack of sensitive noise receptors and the low density of people on-site. The project site is located on the top of Oat Hill, a land feature that penetrates navigable air space, but is designed in a manner consistent with all ALUCP policies related to land use, concentration of people, building heights, lighting and glare, communications, building materials, noise and overflight easements.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

A Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program has been prepared by the City of American Canyon (the Lead Agency). The City has included mitigation measures to ensure project compatibility with airport operations.

BACKGROUND AND DISCUSSION

Airport Land Use Compatibility Factors:

1. Location –The 10.55 acre project site is a rectangular-shaped, hillside lot located on the northeast side of Oat Hill, about 0.39 mile west of SR 29 (Broadway) and about 8,610 feet (1.63 mile) south of the Napa County Airport. The entire site is located within the Zone D - Common Traffic Pattern Zone. The site is approximately 8,610-feet (1.63 miles) southeast of the centerline of Runway 6/24, and approximately 9,466-feet (1.79 miles) southeast of the centerline of Runway 18/36. Typical overflights of the project site consist of aircraft on the downwind approach leg to runway 6/24 and southbound departure traffic.

Oat Hill is a natural feature that penetrates navigable airspace. The hill is within 10,000 ft. of the airport runways, and navigable airspace within 10,000 ft of the runways is defined as a horizontal surface 150 ft. above the height of the runways, or in this case, 183 ft. above Mean Sea Level (MSL). The runways have a defined MSL of 33 feet. Structures are allowed on such natural features that penetrate navigable airspace but property owners are required by the FAA to file a "Notice of Proposed Construction or Alteration" with the agency prior to commencing construction. The FAA determines if the structure must be marked as an obstruction.

As confirmed by Napa County Airport staff, it is unlikely that the FAA will require any marking of the proposed building. The proposed building is at the outer edge of the 10,000 ft. Horizontal Surface, and the building has a maximum height of 42 feet, which is typically considered a minimal increase in obstruction at that distance from a General Aviation airport. Navigable airspace commences at 183 ft. in elevation. The project site pad grade will be at approximately 225 ft. in elevation. The top of Oat Hill, approximately 400 feet to the south, is approximately 275 in elevation and has a City of American water tank on top of it that is approximately 25 in height. There is an existing

building next to the proposed building with a similar pad height and overall building height. Neither the water tank or existing building are marked.

2. Land Use – The entire site is located within Compatibility Zone D, an area of moderate risk with frequent noise intrusion and routine overflights below 1,000-feet above ground level (AGL) to as low as 300-feet AGL. Most non-residential uses are considered normally acceptable uses in Table 3-2 of the Airport Land Use Compatibility Plan (ALUCP). The commercial condominium, small-scale winery use would be considered a good land use in the airport influence areas due to a lack of sensitive noise receptors and generally lower population densities.

3. Concentration of People – According to ALUCP Table 3-2, Airport Vicinity Land Use Compatibility Criteria, the maximum concentration of people in Zone D are 100 persons per acre within structures and 150 persons per acre total, in and out of structures. Although Zone D is an area of moderate risk, most non-residential uses are considered normally acceptable uses.

Given the condominium unit sizes and proposed, small scale operations, the 10.55 acre site is unlikely to be able to exceed Zone D limitations. The applicant estimates that most tenant spaces will generally have less than 5 persons on site during normal business activities, and approximately 30 persons overall on-site on a typical day. Based on the parking calculation for determining density, wherein 1.5 persons on site is presumed per parking space provided, the project would have 98 persons on site which is well within acceptable limits of maximum density.

4. Building Height – ALUCP Policy 3.3.3 restricts building height to 35-feet or as similarly provided by local ordinance. The City of American Canyon's GI (General Industrial) District allows a maximum building height of 40-feet. The proposed two-story, condominium structure is between 31-feet and 33-feet in height with a maximum 42 feet high tower feature; the tower has a concurrent height variance request with the City of American Canyon. The structure is proposed on a hill that penetrates navigable airspace. See discussion above in item #1 concerning navigable airspace obstructions. As proposed, the project is meets ALUCP height requirements and is unlikely to be considered an obstruction by the FAA.

5. Lighting and Glare – The City of American Canyon will impose conditions of approval that specify that all exterior lighting, including landscape lighting, shall be shielded and directed downward and not create offside glare consistent with airport compatibility requirements. These conditions are consistent with the standards required in the ALUCP. Although no skylights are proposed for the building, as previously disclosed to the ALUC, Uniform Building Code (UBC) and new International Building Code (IBC) skylight design requirements require that all incoming light be diffused. Consequently, night-time lighting from any new UBC-compliant skylights will not result in light and glare impacts to airport operations.

6. Communications – No electronic equipment is proposed as part of this facility that could interfere with airport communication.

7. Building Materials – The project will have tex-coated concrete walls with dark anodized glass store fronts, stone veneers, and concrete tile roofing on mansards and tower features. The structure will have a flat, "cool" roof (reflects solar radiation, but is not visually reflective). City of American Canyon conditions of approval require "non-reflective glass, building materials and rooftop equipment shall be used for all sides, of all structures on-site, including roofs, to comply with the Airport Land Use Commission's requirements." Although no roof-top solar panels are currently proposed, it has been demonstrated earlier that current state of the art solar panel materials do not pose a glare hazard due to their propensity to absorb light rather than reflect light. The project building materials are compatible with airport operations.

8. Noise – Although subject to aircraft overflight noise, the new building and use will be located well outside the 65 CNEL noise contour. According to ALUCP Table 2-1, Noise Compatibility Guidelines, 60-65 CNEL is a Normally

Acceptable sound level for service commercial/warehousing uses; 50-60 CNEL sound levels are considered Clearly Acceptable. Uses planned to occur within the building are not sensitive to noise, and aircraft overflight should pose no annoyance at the site.

9. Overflight Easement – The ALUCP requires recordation of an overflight and aircraft hazard easement on all developing properties. The City of American Canyon requires recordation of an overflight easement as part of any application in the airport influence area. Recordation of the easement to the benefit of the Napa County Airport shall be executed as a Use Permit condition of approval prior to occupancy of the project.

10. Caltrans Aeronautics – As of this report writing, although California Department of Transportation, Division of Aeronautics staff has been sent copies of attached background information and has been contacted directly, no comments have been received.

11. Processing – ALUCP Policy 2.1.9 requires referral of a project to the ALUC prior to the local governing body's final action to allow the local jurisdiction to consider the ALUC's finding prior to acting on a project. The application will be reviewed by the City of American Canyon Planning Commission on May 26, 2009. The purpose of this policy is to allow the local government (and ALUC) flexibility in the event the ALUC has airport compatibility needs that need to be addressed. In this case, the project appears to comply with ALUC requirements.

12. Conditions – The City of American Canyon will include appropriate permit conditions of approval and mitigation measures for the project to ensure airport compatibility. An ALUC Consistency Determination is required before building permit issuance and recordation of an Avigation Easement is required prior to occupancy.

SUPPORTING DOCUMENTS

- A . Applicant's Submittal Letter
- B . American Canyon Negative Declaration - Aviation Excerpt
- C . Project Graphics

Airport Land Use Commission: Approve

Reviewed By: John McDowell